

KRAMER LEVIN NAFTALIS & FRANKEL LLP

Philip Bentley  
Elise S. Frejka  
Jason Rappaport  
1177 Avenue of the Americas  
New York, New York 10036  
Telephone: (212) 715-9100  
Facsimile: (212) 715-8000

*Attorneys for Stuart M. Stein, Arthur Siskind, Arthur J. Feibus, Jamat Company, LLC and The Mestro Company*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of Bernard L.  
Madoff Investment Securities LLC,

Adv. Pro. No. 10-05259 (SMB)

Plaintiff,

v.

STANLEY I. LEHRER, in his capacity as administrator of the Stanley I. Lehrer and Stuart M. Stein, J/T WROS, STUART M. STEIN, individually, and in his capacity as administrator of the Stanley I. Lehrer and Stuart M. Stein, J/T WROS, ARTHUR SISKIND, LINDA SOHN, NEAL GOLDMAN, DOUGLAS ELLENOFF, ELAINE STEIN ROBERTS, NEUBERGER BERMAN LLC, as former custodian of an Individual Retirement Account for the benefit of ELAINE STEIN ROBERTS, ARTHUR J. FEIBUS, EUNICE CHERVONY LEHRER, ELAINE S. STEIN, ELAINE S. STEIN REVOCABLE TRUST, JAMAT COMPANY, LLC, THE MESTRO COMPANY, TRUST U/W/O DAVID L. FISHER, TRUST U/T/A 8/20/90, and EVELYN FISHER, individually, and in her capacity as Trustee for TRUST U/W/O DAVID L. FISHER and TRUST U/T/A 8/20/90,

Defendants.

**MOTION OF STUART M. STEIN, ARTHUR SISKIND, ARTHUR J.  
FEIBUS, JAMAT COMPANY, LLC AND THE MESTRO  
COMPANY TO DISMISS THE AMENDED COMPLAINT**

PLEASE TAKE NOTICE THAT Stuart M. Stein, Arthur Siskind, Arthur J. Feibus, Jamat Company, LLC and The Mestro Company hereby move for an Order dismissing the Amended Complaint in this adversary proceeding pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (made applicable by Fed. R. Bankr. P. 7012) at a date and time to be determined by the Court.

The Motion is based upon accompanying Memorandum of Law and the Declaration of Elise S. Frejka, and the exhibits annexed thereto, all pleadings and papers filed in these proceedings, and any other matters that may properly come before the Court in connection with this motion.

The Motion will be scheduled for further briefing, oral argument and submissions in accordance with the Litigation Case Management Procedures previously adopted by the Court.

Dated: New York, New York  
June 2, 2014

KRAMER LEVIN NAFTALIS & FRANKEL LLP

By: /s/ Philip Bentley  
Philip Bentley  
Elise S. Frejka  
Jason S. Rappaport  
1177 Avenue of the Americas  
New York, New York 10036  
Telephone: (212) 715-9100  
Facsimile: (212) 715-8000

*Attorneys for Defendants Stuart M. Stein, Arthur Siskind, Arthur J. Feibus, Jamat Company, LLC and The Mestro Company*